

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	No. 3:18-CR-00172
v.)	
)	Hon. Katherine A. Crytzer, USDJ
MICHAEL A. LaPAGLIA, M.D.)	Hon. Debra C. Poplin, USMJ

MOTION OF THE DEFENDANT MICHAEL A. LaPAGLIA, M.D.
FOR LEAVE TO FILE PAST THE DEADLINE

The Defendant **MICHAEL A. LaPAGLIA, M.D.** (“Dr. LaPaglia”), by undersigned counsel, respectfully moves this Honorable Court for leave to file past the deadline a sentencing memorandum.

IN SUPPORT of this motion, this Defendant states as follows:

1. Late on Friday, March 19, 2021, the United States file in this case its sentencing memorandum. The United States filed also, at the time of filing the sentencing memorandum, a motion for an upward variance, seeking a term of imprisonment above the advisory Guidelines range. This motion presented the United States’ first argument for an upward variance in this case.
2. For the purpose of fairness and efficiency, the Defendant could, with leave to file past the existing deadline, respond in a single memorandum to the United States’ sentencing memorandum and its motion for an upward variance. In the alternative, the Defendant could file a sentencing memorandum within a day or two after March 19, and then file later, within the time allowed by the applicable local rule, a written response to the pending motion.

3. The Defendant does not disagree with the calculations in the United States' filings that the applicable Guidelines range is six to 12 months' imprisonment, and that a probationary sentence is authorized.

WHEREFORE, premises considered, the Defendant requests an extension of time to file a sentencing memorandum, and instruction from the Court concerning a written response to the United States' pending motion.

Respectfully submitted,

s/ Francis L. Lloyd, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

s/ Francis L. Lloyd, Jr.
